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July 30, 2021

Via USPS To:

Feitlin, Youngman, Karas & Gerson, LLC
Jonathan Ettman, Esq.
65 Harristown Road, Suite 207
Glen Rock NJ 07452-3317

Re: Express Freight Systems, Inc. v. YMB., Case No. 20-cv-00186 (ARR)(LB)

Dear Mr. Ettman:

As you know this firm represents Defendant, YMB Enterprise Inc.

Enclosed, please find, Defendant's opposition to Plaintiff's motion for summary judgment.

Affirmation by Levi Huebner, dated July 30, 2021 together with the following exhibits:

Exhibit A: affidavit of Volvie Mendlovic ("Volvie"), a 30(b)(6) witness for YMB Enterprises Inc.

Exhibit B: a true copy of dispatches and bill of lading demonstrating that YMB and Furmano Foods have conducted business with Furmano before July 26, 2018.

Exhibit C: a true copy of invoices that YMB issued to Suntec Furmano Foods have conducted business with Furmano before July 26, 2018.

Exhibit D: a true copy of the certification by Chip Stuckey produced by plaintiff.

Exhibit E: a true copy of the MOTOR CARRIER TRANSPORTATION CONTRACT executed between EXPRESS FREIGHT SYSTEMS INC and YMB ENTERPRISES INC. dated July 26, 2018; and

Exhibit F: Expert Report by HFM Valuation and Consulting Services, Inc., as A Rebuttal to the Economic Loss Report Sustained by Express Freight Systems, Inc as prepared by Kirstin K. Kucsma and Kenneth T. Betz

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Exhibit G: excerpt of a true copy of the Table of dispatches to Furmano as serviced by Express Freight produced by plaintiff.

Exhibit H: a table comparing the invoices received from plaintiff and attached sub-Exhibit B to Exhibit F with the dispatches listed in Exhibit G.

Exhibit I: bidding opportunity that Express Freight received from Furmano in April 2019.

Exhibit J: bidding opportunity that Express Freight received from Furmano on September 9, 2019, where Furmano complains that they never received the bids from Express Freight.

Exhibit K: October 17, 2019, email from Furmano rejecting offer by plaintiff.

Exhibit L: semi-annual bid that Fumano submitted to Express on June 3, 2020.

Exhibit M: email by Furmano informing plaintiff that they will use their own trucks to do deliveries.

Exhibit N: email by plaintiff claiming that customer “chopped” price.

Exhibit O: dispatch dated October 22, 2018 and invoice dated October 31, 2018 for freight heading to Jin Han Foods at the rate of \$1,250.

Exhibit P: invoice by plaintiff to Furmano dated August 31, 2018 for dispatch to Jin Han Foods at the rate of \$1,250.

Exhibit Q: Economic Loss Report Sustained by Express Freight Systems, Inc as prepared by Kirstin K. Kucsma and Kenneth T. Betz. However, that report only shows speculative damages.

Defendant’s Rule 56.1 Statement, and Defendant’s memorandum in in opposition to Plaintiff’s motion for summary judgment.

Very truly yours,

/ s / Levi Huebner

Attorneys for YMB Enterprise Inc.

LH:sms

Encls.